

## TURKMENISTAN

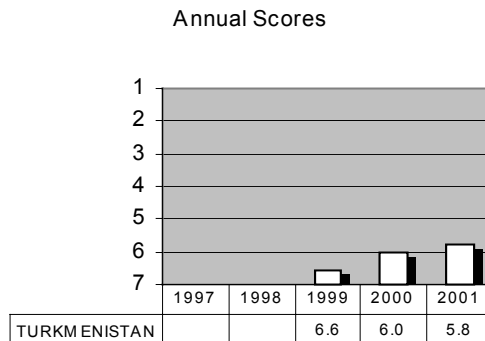
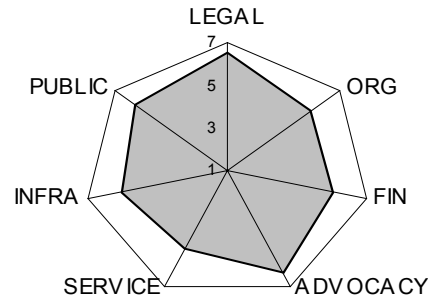
Capital: Ashgabat  
 GDP per capita (PPP): \$4,300 (2000 est.)  
 Population: 4,603,244 (July 2001 est.)

Foreign Direct Investment: \$100,000,000  
 Inflation: 14% (2000 est.)  
 Unemployment: n/a

### OVERALL RATING: 5.8

Turkmenistan has the weakest civil society sector in the Former Soviet Union. According to Counterpart Consortium database, there are only 156 active NGOs and unregistered initiative groups as of August 2001, which is a significant drop from the 200 NGOs reported in 2000. Registration remains the largest obstacle for public organizations, so most of them continue to work without the benefit of registration. Not a single independent citizens group was able to obtain registration as a public organization over the past year. The only groups able to successfully register were those registered as affiliates of one of the handful of pro-government quasi-NGOs or as commercial entities. For instance, the Dashoguz Water User Association was finally registered as a "commercial partnership with limited liabilities." The Ministry of Justice continues to provide written explanations for refusing NGOs registration. However, these explanations are usually inconsistent and unreasonable. Often, the Ministry simply does not register receipt of the application, thus freeing itself of the obligation to provide a written explanation of the application's rejection.

In addition to continuing problems with registration, there has been increasing pressure by local administrations and the Committee for National Security (KNB) on public organizations. After an NGO from a Turkmen region organized a conference on social partnership and invited several international organizations, the indigenous participants of the conference received phone calls from a "KNB staffer" and were summoned to the local KNB office for questioning. Moreover, a few environmental groups were called to the Ministry of Justice and questioned about the legality of their activities as unregistered NGOs. This is an ominous sign, as environmental groups are historically the strongest in the country, the most active, and are usually perceived by the government as politically neutral and thus allowed to exist.



## TURKMENISTAN

In some cases, NGOs attempt to advocate for their constituencies' needs or for limited community-based and social issues. However, political lobbying or advocacy is not tolerated at the national or local government level. Civil society represents a vibrant arena for women's participation. Women lead approximately 80% of Turkmen NGOs, and female staff dominate most organizations. Many of their program activities target women and their specific needs.

### LEGAL ENVIRONMENT: 6.5

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On paper, the legal environment in Turkmenistan is favorable for NGOs, but is probably the worst in the former Soviet Union in terms of implementation. The Civil Code, which is considered to be the legal basis for NGO operations, is not enforced and there are serious administrative impediments that constrain NGO development. A new Law on Public Organizations has been expected for over a year and until it is adopted there is little evidence that the national government will allow the registration of new civic groups. However, many initiative groups are active and will continue to operate without registration, though at the pleasure of the local or national government. Therefore, their activities represent a form of ad hoc favoritism from individual government officials, rather than their legitimate right to exist.

NGOs continue to be harassed by the government. Over the past year the pressure on NGOs has become even stronger and has begun to have an impact even on previously tolerated groups such as environmental NGOs.

A few organizations, like the Water Users' Associations, have managed to register as commercial entities and some organizations have been offered

inclusion in quasi-NGOs, such as the Union of Women. However, if the inability to register means that NGOs will not be able to enjoy tax benefits as non-for-profit organizations and may not even be able to receive grants from international donors, absorption by a quasi-NGO implies the lack of financial and institutional independence.

For the most part, NGOs lack sufficient knowledge of relevant legislation and their legal rights. For example, some NGOs are not aware of their right to be officially informed of the reasons for being denied registration. There are no lawyers in Turkmenistan who specialize in NGO law, though there are a few NGOs that cover civil society issues and provide other NGOs with relevant legal advice.

NGOs officially enjoy some tax benefits, and there were no reports that taxes had been levied on any of them during 2001. Besides, most NGOs are unregistered, which prevents the government from imposing any relevant or irrelevant taxes. At the same time, this inability to register affects an NGO's ability to generate income through legal activities.

### ORGANIZATIONAL CAPACITY: 5.5

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Constituency building efforts remain weak in Turkmenistan, although some progress has occurred in developing

technical capacity and the professionalism of staff. Only a few organizations, such as the Water Users' Association

and the Organization of Invalids, have Boards of Directors or membership fees. Most NGOs show little readiness to institute the principles of democratic governance.

The scarcity of donors and a lack of local funding sources impede the development of organizational capacity. Since many donors do not work with unregistered initiative groups, such groups suffer from the inability to ensure appropriate staffing, management structures, and advanced technical capacity. Volunteerism seems to have continued to

increase over the past year, but it is still not institutionalized.

NGO offices rarely include even relatively new computers, and the necessary software and accessories to run an efficient office are usually limited to those organizations that have received grants from donors and intermediary support organizations. The ability to use modern means of communication (Internet and e-mail) is very limited in the regions due to the low quality and high cost of telephone lines.

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### FINANCIAL VIABILITY: 5.5

With the exception of a very limited number of NGOs and quasi-NGOs, most organizations continue to be dependent upon international donors. International donors generally support only registered groups, due to political and other reasons, although this trend seems to be changing. The limited availability of funds often creates a competitive, rather than cooperative, environment.

There are a limited number of local sources of philanthropy, because economic difficulties continue to force indigenous businesses to focus their resources primarily on their own survival. Intersectoral partnerships usually take the form of the government or business partner providing free office space, or bartering it in exchange for the use of an NGO's computers and Internet connec-

tion. Despite these difficulties, some organizations, especially those in the regions and those representing environmental and marginalized population groups, continue to exist without donors' support.

Since NGOs are for the most part not registered, their financial activities cannot be transparent and open to public. There is no evidence of even a single independent NGO publishing an annual report. In addition, such publications might attract the unwanted attention of the national government and KNB. The lack of legislation and mistrust from the government side prevent NGOs from concluding service contracts with local governments and from generating regular legal income.

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### ADVOCACY: 6.3

The tradition of advocacy is practically non-existent in Turkmenistan. It is dangerous for NGOs to advocate for any changes in government policy, and such policy discussion that does occur is

usually limited to softly advocating for resolution of minor community-based problems. One NGO, for example, managed to force its local government to clean the streets of trash that had ac-

## TURKMENISTAN

cumulated over many years. A consumer rights group managed to lobby for the reimbursement of costs to some of its constituents, because of bad-quality products. With a few exceptions, even environmental NGOs, the strongest in the country, have little incentive to advocate for their constituencies' needs. Real advocacy could cause a strong reaction from the government or Mafia-affiliated commercial structures. For ex-

ample, an environmental NGO that tracked the illegal activity of an oil-refinery's management and published the story in their newsletter had numerous problems with law-enforcement agencies, was de-registered, and then re-registered again thanks to continuing lobbying efforts. The limited opportunities to advocate seem to be better in the capital, and when reinforced by the participation of international organizations.

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### SERVICE PROVISION: 5.0

Despite the fact that NGOs are still not officially recognized by the government as potential partners, NGOs continue to provide limited social services to different groups such as marginalized individuals, invalids and the disabled, refugees, consumers, etc. Available NGO services also include education and training in environmental and health issues. Initiative groups are often unable

to recover their expenses for service provision, or generate income, and are therefore dependent on international donor funds. Public relations and marketing of the sector are very weak. A few organizations, such as the Water Users' Association in Dashoguz, effectively work with local communities to identify their needs and provide services accordingly.

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### INFRASTRUCTURE: 5.5

There have been some improvements in terms of infrastructure over the past year. After several months of bureaucratic and political obstacles a resource center was opened in Lebap with the authorities' permission. This is in addition to a few existing resource centers that operate throughout the country. These resource centers provide invaluable support to NGOs and initiative groups by sharing information and offering training programs and technical assistance, including those in the regions. There are a number of local trainers capable of providing training on basic issues for newer NGOs. At this stage, however, these resource centers do not have any additional funding resources and are solely dependent upon international donors.

A general lack of funds and experience prevent NGOs from creating and maintaining coalitions. A consumer rights organization that tried to establish an issue-based coalition failed due to the unwillingness of other organizations to get involved. Many NGOs fear that the greater visibility associated with building coalitions will invite government pressure and harassment. One coalition, the Association of Ecological NGOs, Ecosodrujestvo, established in 2000, continued to be active and provides space and equipment to a broad range of NGOs. Intersectoral partnerships are not sufficiently developed and are constrained due to mutual distrust by the government and NGOs, and a lack of maturity in the business community.

### PUBLIC IMAGE: 6.0

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Relations with the media have worsened during the past year. There have been only a few articles in local newspapers that mention NGO activities and even these articles tend to omit references to the NGOs themselves, or fail to acknowledge their non-governmental status. In other words, media outlets tend to misrepresent NGOs' activities under the veil of quasi-NGOs or state structures.

One Turkmen NGO, the Pensioners' Club, did receive some positive coverage in several newspapers, after which the Club lost its office space (previously provided by the quasi-governmental Red Crescent) and began to experience government harassment. This goes along with a continuing lack of any independent sources of information in the

country, except for a few scattered Internet sites.

Despite this, local communities are occasionally aware of NGOs. This is particularly true when it relates to groups providing services to their constituencies, such as consumer rights groups or the Water Users' Association. National and local officials often perceive the term "NGO" as meaning "anti-governmental". As a result, NGOs do not attempt to become more transparent in their operations.

Unless the government's negative and aggressive stance towards NGOs changes, it is unrealistic to expect much improvement in the third sector's public image.